

### **EXAMINER'S AMENDMENT**

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Daniel Bourque (Reg. No. 35,457) on September 4, 2008.

The application has been amended as follows:

1. Claims 1 and 21 have been amended as given below.
2. Claims 5 and 6 are cancelled by virtue of this Examiner's Amendment.

#### **Claim 1 (Currently Amended):**

A method for providing computer-based authentication utilizing absolute keystroke timing biometrics, the method comprising the acts of:

obtaining a first absolute keystroke timing data of a user while the user types a passphrase;

responsive to said obtained absolute keystroke timing data, analyzing and abstracting the absolute keystroke timing data into a keystroke timing data template;

obtaining a second and subsequent absolute keystroke timing data of a user while the user types a passphrase and responsive to said received second and subsequent absolute keystroke timing data, merging said second and subsequent

absolute keystroke timing data with said keystroke timing data template to create an updated, merged keystroke timing data template; and

verifying said second and subsequent absolute keystroke timing data against said updated, merged keystroke timing data template; and

performing nonce profiling of the absolute keystroke timing data and the second and subsequent absolute keystroke timing data and configuring the nonce profiling into a new passphrase.

Claim 21 (Currently Amended) A method for providing computer-based authentication, the method comprising the acts of:

obtaining a first keystroke timing data sample of a user;

responsive to said obtained first keystroke timing data sample, analyzing and abstracting the first keystroke timing data sample into a non-repudiated data sample template;

obtaining a second and subsequent ~~absolute~~ keystroke timing data sample of a user while the user types a passphrase and responsive to said received second and subsequent ~~absolute~~ keystroke timing data sample, merging said second and subsequent ~~absolute~~ keystroke timing data sample with said non-repudiated keystroke timing data sample template to create an updated, merged non-repudiated data sample template; and

verifying said second and subsequent ~~absolute~~ keystroke timing data samples against the non-repudiated data sample template to determine consistency or

inconsistency between the subsequent ~~absolute~~ keystroke timing data samples as compared to the non-repudiated data sample template; and

performing nonce profiling of the non-repudiated data sample template and the second and subsequent keystroke timing data sample and configuring the nonce profiling into a new passphrase.

### **REASONS FOR ALLOWANCE**

1. Claims 1-4, and 7-21 are allowed.
2. The following is an examiner's statement of reasons for allowance:
3. No prior art teaches or renders obvious all the limitations in the independent claims 1, 20, and 21, and the subsequent dependent claims.
4. Specifically, the prior art fails to teach obtaining a first keystroke sample, and then obtaining a subsequent absolute keystroke timing data which is responsive to a user typing in a passphrase, then merging the first keystroke sample and the subsequent keystroke timing data to create an updated, merged data template, and performing nonce profiling of the absolute keystroke timing data, and configuring the nonce profiling into a new passphrase.
5. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to KAVEH ABRISHAMKAR whose telephone number is (571)272-3786. The examiner can normally be reached on Monday thru Friday 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh can be reached on 571-272-3795. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Kaveh Abrishamkar/  
Examiner, Art Unit 2131

/K. A./  
09/04/2008  
Examiner, Art Unit 2131